

Summary of key themes relating to the Intermediaries Around the World Map – **still under construction**

This is an exciting and dynamic time for intermediary schemes around the world; they are constantly emerging, developing or consolidating. Therefore, this information is regularly being updated.

If the most up-to-date information we have about an intermediary scheme is from the 2020 Report on intermediaries for justice around the globe, we have stated this in the left-hand column and have provided a link to the report.

	Legislation	Statutory entitlement	Parties	Jurisdiction	Profession	Professional registration	Training	Funded by State
<p>Argentina</p> <p>Intérpretes / facilitadores</p> <p>Interpreters / facilitators</p> <p>Intermediaries World Map - Argentina</p>	<p>Argentina does not have a particular law that explicitly refers to the word “facilitador”. However, having assistance provided by a facilitador is a right recognized by the Ibero-American Agreement known as <i>The 100 Brasilia Rules</i></p>	No	Witnesses, victims, suspects or defendants	Criminal, civil, administrative, family, mental health, and the forensic medical board	Speech-language therapists or interpreters with degrees in different languages related to disability, such as sign language, augmentative and alternative languages, and non-verbal communication	National Registry of Facilitators	Run by professionals from the National Programme of Assistance to Persons with Disabilities and the Justice Administration System of the Ministry of Justice and Human Rights of the Nation	Yes
<p>Australia</p> <p>Witness intermediary or Intermediary depending on the state.</p> <p>Intermediaries World Map - Australia</p>	<p>Australia is made up of six states and two territories, each with their own justice system. Each state or territory has their own stand-alone criminal justice system and witness intermediary program. The most established intermediary programs can be found in New South Wales, Queensland, Victoria, Tasmania and the Australian Capital Territory. These jurisdictions have similar intermediary programs with some differences in eligibility criteria</p> <p>Example from state of Tasmania:</p>	Witness	<p>Witness (most Australian states).</p> <p>Suspects and defendants (Some states e.g. ACT)</p>	Criminal	Each state has its own criteria for acceptance onto its intermediary training programme. For example, some states have requirements regarding relevant degrees (e.g. health profession degree) whereas	Yes	Each jurisdiction is responsible for developing and running its own intermediary training	Yes

	Evidence (children and special witnesses) Act 2001 - s7(h)				others accept applications from a wider range of professionals			
Bulgaria Intermediary Intermediaries World Map - Bulgaria	In Bulgaria, apart from sign language interpreters, procedural laws do not include any straightforward requirements to ensure support for persons with communication needs. There is, however, one provision in the Persons with Disability Act which sets up a general obligation to all courts and other state bodies to provide effective access to justice to persons with disabilities on equal basis with others	No	Likely to be adult defendants only initially	Criminal	Speech therapists	Not stated	A training programme has commenced. However, there is currently no state funding to establish the intermediary role and workforce	To be decided
Canada - Ontario Communication intermediary Based on: Intermediaries for justice around the globe 2020	There is no specific legislation on communication intermediaries in Canada. The duty to accommodate people with disabilities is well recognized in the human rights legislation in Canada and in provincial, territorial laws e.g. S6(1) Canada Evidence Act, RSC 1985 c C-5. S486.1(1) Criminal Code	No	Witness, complainant and defendant	Criminal	Speech and Language Therapists	No official registration, but Cis names are on a publicly available data base	Organised by NGO	No
Chile Intermediarios or Intermediarias Intermediaries World Map - Chile	Since 2018, Law 21,057 has mandated the use of both specialist investigative interviewers and intermediaries for child or adolescent victims or witnesses in the prosecution of sexual or violent crime. Under the law, intermediaries need to have specialised training and accreditation to work as an intermediary. The Ministry of Justice and Human Rights is responsible for accreditation.	Yes	Victims & witnesses	Criminal	Mainly judges. Also law enforcement officers and other officials	Yes	Institutions providing intermediaries are the ones in charge of running Specialized Training Initial Courses both for investigative interviewers	Yes

							and intermediaries	
<p>England and Wales</p> <p>Intermediaries assisting vulnerable complainants or witnesses are called Registered Intermediaries.</p> <p>Intermediaries assisting vulnerable defendants are called 'Court Approved Intermediaries.'</p> <p>Intermediaries World Map - England and Wales</p>	<p>s16 Youth Justice and Criminal Evidence Act 1999</p> <p>However, due to the new HAIS^[1] framework introduced by HMCTS, intermediaries are assisting defendants, respondents and appellants in criminal and family courts and immigration and employment tribunals.</p> <p>^[1] HM Courts and Tribunals Services Appointed Intermediary Services (HAIS)</p>	Witness and complainant	Witness, complainant and defendant	Criminal and family courts and immigration and employment tribunals	Speech and language therapists, psychologists, special needs teachers, occupational therapists or psychiatric nurses	Yes, for Court-approved intermediaries.	Registered intermediaries are trained, and their competency assessed and then monitored by the Ministry of Justice.	Yes
<p>Ireland</p> <p>Intermediary (to be confirmed)</p> <p>Intermediaries World Map - Ireland</p>	<p>s14 Criminal Evidence Act 1992</p>	Witness	Witness	Criminal	Speech and language therapists, occupational therapists or social workers	Yes	Intermediary Studies Professional Diploma at the University of Limerick	Not known as yet
<p>Israel</p>	<p>The law provides for courts to appoint an intermediary to provide the accommodations that person requires</p>	Witness, complainant	Witness, complainant and defendant	Criminal, civil, family law,	Any background, intermediaries are assigned to	Contact NGO (Bizchut) to refer an	Bizchut + Tel Aviv University	No

<p>Facilitator of Access to Justice</p> <p>Based on: Intermediaries for justice around the globe 2020</p>	<p>for the proceedings, at the person's request or at its own discretion. This means that the court may request it and has authority to decide over the appropriateness of the appointment</p>	<p>and defendant</p>		<p>mental health, labour, other</p>	<p>match the case/jurisdiction</p>	<p>intermediary for the case</p>		
<p>Japan</p>								
<p>Kenya</p> <p>Intermediary</p> <p>Intermediaries World Map - Kenya</p>	<p>S31(3) Sexual Offences Act</p>	<p>Witness</p>	<p>Witness and defendant</p> <p>The justification for provision of intermediary assistance for defendants is based on the argument that defendants should have the same right as witness to support when they testify</p>	<p>Criminal</p>	<p>No. While professional intermediaries exist, family members and others who are close to the individual may act as intermediary</p>	<p>No NGO keep a database</p>	<p>Organised by NGO</p>	<p>Intermediaries are typically volunteers who have their travel fares paid</p>
<p>Republic of Korea</p> <p>Statement Assistant / Intermediary</p> <p>Intermediaries World Map - Korea</p>	<p>Article 18 (Scope of Communication Mediation and Assistance):</p>	<p>Yes</p> <p>Victim</p>	<p>Victim</p>	<p>Criminal</p>	<p>People with expertise in the psychology or communication of children or people with disabilities e.g. psychiatry, psychology, social work, education, or</p>	<p>No</p>	<p>Ministry of Justice run the scheme and provide training. There is no formal monitoring system.</p>	<p>Yes</p>

					who have worked for a significant period of time in a related field.			
Mexico City Facilitadores de justicia Intermediaries World Map - Mexico City	The law does not provide expressly for intermediaries. There is a provision within the procedural code that includes 'auxiliary roles (<i>auxiliares de las partes</i>)' in different areas of expertise (see Article 136 from the National Criminal Procedural), which is invoked to introduce intermediaries in court: National Code of Criminal Procedure	No	Mostly defendant Occasionally witness	Criminal	No specific profile or profession targeted. Recruit people with a strong vocation and commitment to the rights of people with disabilities	NGO keeps a database	Organised by NGO in collaboration with university	Yes
New Zealand Communication assistants Intermediaries World Map - New Zealand	s80 and s81 of The Evidence Act 2006 apply in some legal settings. Communication Assistants are also engaged outside of this legislation in some legal contexts. Communication assistance	Witness and defendant	Witness and defendant	Criminal, Family, Youth courts, Mental health Through arrangements with other agencies, also provide communication assistance at pre-sentencing reports, parole board hearings, family group conferences	Speech-Language Therapists	The 2 specialised organisations contracted by the MoJ to provide CAs create and facilitate training for the CAs. These organisations also keep the MoJ about who is currently working as a CA and the demographic profile of the workforce	Organised by service provider & funded by Ministry of Justice	Yes
Northern Ireland	Criminal Evidence Order 1999 Chapter 2 of the Justice Act 2011	Witness	Witness and defendant However, the Lord Chief	Crown/ Criminal court, Magistrates Court and Youth Court	Mostly speech and language therapists or social workers	Register held by Dept of Justice	Recruitment & coordination of training programme	Yes

Registered Intermediary (RI) Intermediaries World Map - Northern Ireland			Justice made a ruling that Ris can assist any vulnerable person, regardless of whether they are a defendant, defence witness, prosecution witness or victim	Not usually Civil or Family court			done by Dept of Justice	
Spain Facilitadores Insert link to World Map	Ley 4/2015 del Estatuto de la víctima del delito provides for emotional support and giving evidence through an expert, as well as pre-recording evidence. It does not talk specifically about a support role in communication but of the right of a vulnerable person to give evidence with the support of an expert. The law leaves it to future regulation to define the role and specificities of the expert. The priority of the law is to reduce the number of times a person has to give evidence and protect their privacy to avoid revictimization. The Criminal Procedural Code (Ley de Enjuiciamiento Criminal) also recognises the right to give evidence through an expert in article 433.	For complainants mainly	Complainants and witnesses	criminal	Not specified in the law Mostly psychologists	No	No formal training	No
Taiwan								
Vermont, USA	No specific legislation. Implemented on basis of Americans with Disabilities Act Americans with Disabilities Act	No	The service is available for all who qualify, but not	All courts, administrative hearings and	Professionals with in depth knowledge of disability	NGO keeps a database	Provided and monitored by Vermont Communicatio	Yes

Communication support specialists Intermediaries World Map - Vermont			defendants in criminal court.	related meetings			n Support Project There is an annual training meeting and recertification process for all communication specialists.	
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